

Notice of Allowability

Application No.

10/829,289

Examiner

Matthew F. DeSanto

Applicant(s)

HUANG, PING TE

Art Unit

3763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/26/06.
2. ☒ The allowed claim(s) is/are 3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance:

The subject matter of the independent claim could either not be found or was not suggested in the prior art of record. The subject matter not found was a syringe with a plunger that has a stub that has an "exterior surface" from which the stopper and the pair of annular flanges radially extend and wherein the pair of annular flanges extend "in generally parallel relationship to each other". The rubber bulb is now recited as having an end "abutting" a surface of the stopper. The rubber bulb is specified as being in "surface-to-surface contact with the exterior surface of the stub". Additionally, it now recited that the rubber bulb extends between the pair of annular flanges so as to have a surface contacting the exterior surface (of the stub) in a space between a pair of annular flanges. Additionally, and furthermore, it should be noted that the rubber bulb is now recited as having "a coating" extending entirely over the mushroom-shaped connector.

The independent claim also includes other patentable subject matter in combination with the other elements or steps of the claim not mention in the above paragraph.

The examiner would also like to include the applicant's remarks in the reasons for allowance, since the arguments made in the remarks section helped to move the case in condition for allowance. The applicant elaborated on the novelty and patentability of the claimed invention and thus gave a better understanding of the overall invention.

"The contact between the surfaces of the rubber bulb and the stub is the result of the rubber bulb being securely connected to the shank when molding the shank of the plunger. This type of molded connection makes the assembling process of the rubber bulb unnecessary. This also serves to reduce the manufacturing cost since it is necessary to prepare a machine for assembling the shank of the plunger and the rubber bulb. The mushroom-shaped connector is coated by the rubber bulb such that the mushroom-shaped connector can be easily inserted into the needle of the syringe due to the material characteristic of the rubber bulb. Applicant respectfully contends that these elements of independent Claim 3, along with the advantages achieved thereby, are neither shown nor suggested by the prior art patents." (Applicant's Remarks pages 4 and 5 dated 6/26/06).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew F. DeSanto whose telephone number is 571-272-4957. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick LUCCHESI can be reached on (571) 272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Matthew DeSanto
Art Unit 3763
September 17, 2006



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